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PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Telecommunications Division
Carrier Branch

RESOLUTION T-16993
February 16, 2006

R E S O L U T I O N

RESOLUTION T-16993. Voluntary downgrade of Certificates of Public Convenience and Necessity held by Universal Access, Inc. (U-6237-C).

Advice Letter No. 5, filed December 27, 2005

Summary

This resolution downgrades, at the request of the company, the Non-Dominant Interexchange Carrier (IEC) and Competitive Local Carrier (CLC) Certificates of Public Conveniences and Necessity (CPCNs) held by Universal Access, Inc.

Background

Universal Access, Inc. filed Advice Letter No. 5 on December 27, 2005. The advice letter was filed on the recommendation of Telecommunications Division staff in order to expedite the ownership transfer of this company to Vanco Direct USA, LLC.

On November 28, 2005, Universal Access, Inc. filed Advice Letter No. 2, in which it requested approval of the transfer of ownership of the company to Vanco Direct USA, LLC (U-6969-C). The latter company has only reseller authority in the local and long distance markets (i.e., IER/CLR), but the former company has facilities-based authority in those markets (i.e., IEC/CLC). This situation does not allow an ownership transfer by advice letter. However, if Universal Access, Inc. downgrades its authority to reseller status, the transfer could then proceed by advice letter. The purpose of this resolution is to approve that necessary downgrade.

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Discussion

The attorneys for Vanco Direct USA, LLC have assured TD (Telecommunications Division) staff that, although Universal Access, Inc. was granted limited facilities-based authority in D.99-10-025 (effective 10/7/99), it has never served customers with that equipment; all of Universal Access, Inc.'s customers have always been served as switchless reseller customers. The Commission routinely approves by Resolution carrier requests to voluntarily cancel all operating authorities. TD recommends that the downgrade of the company's authorities also be approved through the resolution process.

This is an uncontested matter in which the resolution grants the relief requested. Accordingly, pursuant to PU Code Section 311(g)(2), the 30-day period for public review and comment is being waived.

Findings

1. Universal Access, Inc. was granted facilities-based authority in D.99-10-025.
2. The company sought permission to downgrade this authority to switchless reseller in Advice Letter No. 5, filed on December 27, 2005, for the purpose of expediting a transfer of ownership to Vanco Direct USA, LLC.
3. It is reasonable to grant this authority by this Resolution.

THEREFORE, IT IS ORDERED that:

1. The Certificates of Public Convenience and Necessity granted to Universal Access, Inc. are downgraded from facilities-based local and long distance to switchless reseller status.
2. The company's Utility Identification Number (U-6237-C) shall be retained.

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This Resolution is effective today.

I hereby certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on February 16, 2006. The following Commissioners approved it:

STEVE LARSON
Executive Director